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Mail Stop 8100  
Department of Homeland Security  
Washington, D.C. 20528-8100

Docket Number: 2006-0073

My family and I operate a poultry farm in Johnston County, NC. We use propane gas to heat our poultry houses. The Department of Homeland Security's (DHS's) final interim rule, Chemical Facility Anti-Terrorism Standard (CFATS), and its proposed Appendix A, will propose a huge and unnecessary burden on our farm.

First, we just learned about this final interim rule and have not had a great deal of time to fully understand how it will impact us and how much work will be necessary to complete the various requirements of the rule. We ask that DHS extend the comment period on Appendix A by an additional sixty (60) days until Monday, July 9, 2007. This extended comment period would then encompass a total of ninety (90) days, not at all uncommon for a regulatory proposal of this depth and breadth, literally impacting on tens of thousands of farms and facilities engaged in American poultry production.

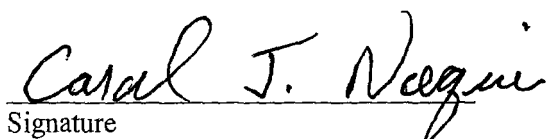
Most poultry farms in the United States use propane to heat their chicken houses. Typically, a poultry farm will have 1,000 gallons of propane for each chicken house. Therefore, a majority of the poultry farms in the United States may have to comply with this regulation and complete a registration and a Top-Screen analysis. We estimate that this will include 20,000 individual family-owned and operated poultry farms. Since the Preamble to the regulation indicated that the Department of Homeland Security (DHS) estimated only 40,000 facilities would complete the registration and Top-Screen, we believe the DHS has significantly underestimated the number of facilities that will be required to comply with this regulation and, therefore, the cost of compliance and the impact on small farms.

Completing the registration and Top-Screen will be very difficult and costly to family-owned poultry farms like mine. Many chicken growers may not have access to the Internet and may have to travel to a town that may have a library with Internet access. The DHS's estimate of 25 to 30 hours to complete the registration and Top-Screen presents a huge and nonsensical burden on these small farms and is likely to be underestimated for these growers because of travel time and lack of computer skills.

I strongly recommend that the DHS consider adding a footnote to the Appendix A listing for propane indicating that all propane storage tanks of less than 1,200 gallons do not need to be counted toward the threshold amount. This change will minimize the number of small facilities that have to comply with the registration and Top-Screen requirements; greatly reducing the burden on small family-owned businesses and the Department of Homeland Security. Also, this limitation will not affect the legitimate needs of the DHS because these small tanks do not pose a significant threat due to release or theft.

In summary, this proposed rule needs a lot of work and poultry growers like me really need more time to fully understand what it means. As stated above, I request an extension for the comment period on the Appendix A list until July 9, 2007, and for the DHS to give serious consideration to the recommendations in my letter.

Sincerely,

  
Signature

CAROL J. NAQUIN  
Print Name